

Memorandum

Subject: **INFORMATION:** Improving the Quality
of Environmental Documents

Date: July 31, 2006

From: Frederick Skaer, Director, Office
of Project Development and Environmental Review

Reply to
Attn. of: HEPE

To: Directors of Field Services
Division Administrators

The purpose of this memorandum is to advise you of the FHWA's position regarding the use of different formats or alternative approaches to preparing NEPA documents, such as the "reader friendly" document approach, which has gotten considerable attention and recent recognition. The FHWA cooperated with AASHTO and the American Council of Engineering Companies (ACEC) in preparing the attached report, *Improving the Quality of Environmental Documents*. The FHWA fully supports the findings and recommendations included in the report, which represents not only FHWA's, but also the transportation industry's, current thinking regarding the use of different formats and alternative approaches to NEPA documentation.

The report was recently made available to agency staff at the FHWA Environmental Conference held in DC in June. At this time we are providing additional copies of the report for your use and distribution to other agencies and the consultants that are routinely involved in the FHWA NEPA project development process. The State DOTs will be receiving copies of the report directly from AASHTO. Additional copies are available upon request. The report is available in electronic form at the AASHTO Center for Environmental Excellence website (<http://www.environment.transportation.org>).

You may be aware of the recent national initiative focused on improving the quality of NEPA documents, primarily environmental impact statements (EISs), and to some degree, environmental assessments (EAs). Beginning in 2003, FHWA partnered with AASHTO and the ACEC in an effort designed to improve the readability and functionality of the documents prepared for transportation projects in compliance with NEPA. The report, *Improving the Quality of Environmental Documents* is the result of this AASHTO, ACEC and FHWA cooperative initiative. It outlines a range of problem areas routinely associated with NEPA documents, primarily EISs, and offers general recommendations on how to address them. A few of the areas identified in the report are the unwieldy size of NEPA documents, the over emphasis on



information rather than analysis and decisionmaking, and the increasing complexity of a range of environmental issues associated with FHWA's legal sufficiency review requirements. Collectively, these problems decrease the ability of our environmental documents to effectively communicate to the public, stakeholders and agency decisionmakers the important information that is relevant to the NEPA process and informed decisionmaking.

This report offers three core principles for quality NEPA documents: 1) tell the story of the project so that the reader can easily understand what the purpose and need of the project is and describe the strengths and weaknesses of alternatives; 2) keep the document as brief as possible by using clear, concise writing, an easy-to-use format, effective graphics and visual elements, and discussion of issues and impacts in proportion to their relative importance; and 3) ensure that the document meets all legal requirements in a way that is easy to follow for regulators and technical reviewers.

The approach outlined in the report is consistent with FHWA's current guidance on environmental documentation contained in the Technical Advisory T 6640.8A, *Guidance For Preparing and Processing Environmental and Section 4(f) Documents* (TA). The background section of the TA includes this statement, "the FHWA subscribes to the philosophy that the goal of the NEPA process is better decisions and not more documentation". The EIS format included in the TA follows the recommended format contained in the CEQ regulations (40 CFR 1502.), generally referred to by NEPA practitioners as the "traditional EIS" format. Different formats are allowed by the CEQ regulation and the TA within certain parameters established at 40 CFR 1502.10. What is more important than the way an EIS document is organized is that it convey, in reasonable and understandable terms, the substance of project purpose and need, the alternatives considered, the affected environment and environmental consequences of the action. We encourage you to consider ways to improve the effectiveness of the NEPA documents prepared in your state, including the use of different formats or alternative approaches to making documents easier to read, while demonstrating compliance with NEPA and other applicable environmental laws that satisfy the needs and expectations of our partners and stakeholders.

This memorandum was coordinated with the FHWA Office of the Chief Counsel. For additional information or questions please contact Lamar Smith at Lamar.Smith@fhwa.dot.gov or 202-366-8994.

Attachment